



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Community Empowerment and Economic  
Revitalization Committee**

Tuesday, December 13, 2005

2:00 PM

Commission Chamber

Charles Anderson, CPA  
Commission Auditor

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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Analysis**

**Community Empowerment & Economic Revitalization Committee  
Meeting Agenda**

**Tuesday, December 13, 2005**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

**Item Number(s)**

2(D)	4(F)
4(E)	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

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## **LEGISLATIVE ANALYSIS**

### ***RESOLUTION RELATING TO THE "ONE STRIKE" POLICY***

Commissioners Barbara J. Jordan and Katy Sorenson

#### **I. SUMMARY**

This resolution urges the federal government to reconsider the application of the “one strike” policy when evicting and excluding tenants of public housing, based on violent criminal activity, drug-related activity and sexual offense. Currently, legislation has been filed to create an “innocent tenant” exception to this policy (H.R. 1309 by Cong. Lee).

#### **II. PRESENT SITUATION**

On March 28, 1996, the U.S. Department of Housing and Urban Development (HUD) introduced guidelines to help public housing administrators screen and evict tenants involved in drug or other criminal activity. The provisions were set out in the policy, "One Strike and You're Out." The eviction and screening procedures have been law since 1988, but many public housing authorities (PHAs) were not enforcing them because they were unclear about the legal ramifications and constitutionality of eviction and screening. The “one strike” provision was unanimously upheld by the U.S. Supreme Court in *Rucker v. Davis* in 2002, holding it was not unreasonable for Congress and HUD to impose a no-fault penalty upon innocent tenants.

#### **III. POLICY CHANGE AND IMPLICATION**

This resolution urges the federal government to reconsider the application of the “one strike” policy, in light of the negative impact it has on innocent tenants and the disparate impact it has on the poor.

#### **IV. ECONOMIC IMPACT**

None.

#### **V. COMMENTS AND QUESTIONS**

On March 15, 2005, federal legislation was filed to create an “innocent tenant” exception to this policy, H.R. 1309 by Rep. Barbara Lee (D-CA). The proposed legislation would protect elderly and disabled tenants from eviction. On April 11, 2005, the bill was referred to the House Subcommittee on Housing and Community Opportunity. No hearings have been scheduled yet. The bill is supported by the National Low Income Housing Coalition and the National Housing Law Project.

#### **IV. COMMENTS AND QUESTIONS**

The Board of County Commissioners might also consider supporting H.R. 1309 via resolution, as this bill also addresses protecting tenants from the one-strike policy.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

***TARGETED JOBS INCENTIVE FUND PROGRAM PARTICIPATION FOR  
CONFIDENTIAL PROJECT NO. 06-00076***

Office of Community and Economic Development

**I. SUMMARY**

The Office of Community and Economic Development recommends that the Board of County Commissioners approve the Targeted Jobs Incentive Fund (TJIF) application for a company proposing to relocate its current headquarters from another part of the state of Florida.

**II. PRESENT SITUATION**

The TJIF is an initiative by The Beacon Council and Miami-Dade County patterned after the State of Florida Qualified Target Industry Tax Refund Program (QTI). The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing cash incentive awards.

**III. POLICY CHANGE AND IMPLICATION**

None.

**IV. ECONOMIC IMPACT**

Project Name	New Jobs	Capital Investment	TJIF Incentive Award	Est. Incremental County Tax Revenue
Confidential Project No. 06-00076	32	\$12 Million	\$560,410	\$700,513

The money used for this incentive will come from the County's General Fund.

**V. COMMENTS AND QUESTIONS**

The Beacon Council is recommending a ten-year distribution versus the normal six-year distribution to offset the higher cost of office space in Miami-Dade County than in the other Florida location being considered by this company.

The salary for the 32 new jobs in 2006 will be an average of \$115,438 with an employee benefits package valued at \$40,403 per new job.

## **LEGISLATIVE ANALYSIS**

### ***RESOLUTION ACCEPTING THE FINDING OF NECESSITY STUDY FOR THE GOULDS/CUTLER RIDGE AREA AND APPROVING THE PREPARATION OF A COMMUNITY REDEVELOPMENT PLAN.***

Office of Community and Economic Development

#### **I. SUMMARY**

This item amends Resolution 211-05, which adopted a Finding of Necessity study for the Goulds/Cutler Ridge area, and approved the preparation of a community redevelopment plan for the area. This amendment would expand the previously approved boundaries of the redevelopment area by three square miles.

#### **II. PRESENT SITUATION**

The Board of County Commissioners (BCC) directed the County Manager in July 2004 to prepare a Finding of Necessity study as required by the Community Redevelopment Act of 1969 (the "Act") for the Goulds/Cutler Ridge area. The Board adopted the study for this area on March 1, 2005. A subsequent study concluded that slum and blight existed in a three-square-mile area to the south of the original area. This expanded area is adjacent to the previously approved redevelopment area.

The Act authorizes counties and municipalities in the State of Florida to create community redevelopment agencies and to prepare redevelopment plans for certain defined areas. The purpose of these redevelopment projects is to prevent and possibly eliminate the development of slum and blighted areas.

The Act also authorizes the County to delegate redevelopment after a finding has been made determining that slum or blight exists. According to the Finding of Necessity study:

- In the **Goulds/Cutler Ridge** area slum and blight exists in the form of unsanitary and unsafe conditions, and deterioration within the defined area.

#### **III. POLICY CHANGE AND IMPLICATION**

In order for the County to proceed with community redevelopment in this area, the Board must adopt each of the Finding of Necessity report and approve the respective Community Redevelopment Plan.

#### **IV. ECONOMIC IMPACT**

On December 5, 2005, the County's Tax Increment and Financing Coordination Committee reviewed the Finding and Necessity reports and recommended its acceptance by the Board.

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**V. COMMENTS AND QUESTIONS**

None.